

BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: March 16, 2005  
Bulk Item: Yes X No \_\_\_\_\_

Division: Growth Management  
Department: Planning  
Staff Contact Person: K. Marlene Conaway

**AGENDA ITEM WORDING:** Approval for one Restrictive Covenant from Gilco Homes Inc. a Florida Corporation to have one dwelling unit on contiguous lots described as Lots 1, 2, & 3, Block 14, Anglers Park, Key Largo.

**ITEM BACKGROUND:** On February 9, 2005 the Planning Commission approved an allocation award for the applicant listed below provided the applicants' Restrictive Covenant is approved by the BOCC. Gilco Homes Inc. a Florida Corporation submitted the Restrictive Covenant to Monroe County. The applicants are receiving one dwelling unit allocation award for the year ending July 13, 2005, have filed the document in accordance with Ordinance No. 47-1999.

**PREVIOUS RELEVANT BOARD ACTION:** On November 11, 1999, the BOCC adopted Ordinance No. 047-1999.

**CONTRACT/AGREEMENT CHANGES:** N/A.

**STAFF RECOMMENDATION:** Approval.

**TOTAL COST:** X

**BUDGETED:** Yes N/A No \_\_\_\_\_

**COST TO COUNTY:** N/A

**SOURCE OF FUNDS:** N/A

**REVENUE PRODUCING:** Yes N/A No \_\_\_\_\_ **AMOUNT PER MONTH** N/A **Year** \_\_\_\_\_

**APPROVED BY:** County Atty X OMB/Purchasing N/A Risk Management N/A

**DIVISION DIRECTOR APPROVAL:** \_\_\_\_\_


  
Timothy J. McGarry, AICP

**DOCUMENTATION:** Included X Not Required \_\_\_\_\_

**DISPOSITION:** \_\_\_\_\_

**AGENDA ITEM #** \_\_\_\_\_

## M E M O R A N D U M

**TO::** Danny Kolhage, Clerk of the Court  
**FROM:** Timothy J. McGarry, Growth Management Director   
**DATE:** March 16, 2005  
**RE:** Clarification of Agenda Item

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### **Restrictive Covenant**

<b>Permit Number</b>	<b>Name on Agenda Item</b>	<b>Name on Restrictive Covenant</b>	<b>Legal Description</b>
04-3-0859	Gilco Homes Inc. a Florida Corporation	Gilco Homes Inc. a Florida Corporation	Lots 1, 2, & 3, Block 14, Anglers Park, Key Largo

This instrument was prepared by:  
David Contreras  
10101 S.W. 136 St.  
Miami, Florida 33176

## LOT AGGREGATION RESTRICTIVE COVENANT

1. **WHEREAS**, Gilco Homes Inc. a Florida corporation, the undersigned are the sole owners of the following described real property located in Monroe County, Florida described as follows:

**Lot(s):** 1, 2, and 3                      **Block:** 14

**Subdivision:** Anglers Park

**Key:** Largo                                      **PB:** 1-159

**Real Estate Number(s):** 00553380.000000; 00553390.000000, and  
00553400.000000

2. **WHEREAS:** this Lot Aggregation Restrictive Covenant that restricts the use of the legally described property in order to receive a building permit; and
3. **WHEREAS:** the above described parcels were assigned additional points in the Permit Allocation System for building permit 04-03-0859 for the voluntary reduction of density through aggregation of vacant, legally platted, buildable lots; and
4. **NOW, THEREFORE**, the undersigned agree as follows:
- The above described parcels shall have its density reduced from three dwelling units to one dwelling unit in consideration of a building permit to build a single-family residence; and
  - The restrictions herein shall be binding upon the representatives, heirs, assigns and successors in title of the undersigned; it being the intention of the undersigned by execution and recording of this document that this restriction shall run with the land and shall be forever binding upon the successors in title; and

Lot Aggregation Restrictive Covenant  
RE No.: 00553380.000000, 00553390.000000, 00553400.000000

- This covenant is intended to benefit and run in favor of the County of Monroe; and
- In the event of any breach or violation of the covenant contained herein the said County may enforce the covenant by injunction or such other legal method, as the County deems appropriate.

EXECUTED ON THIS 10 DAY OF FEBRUARY, 2005

WITNESSESS:

David Contreras  
(Signature)

DAVID CONTRERAS  
(Print/Type Name)

Miriam Valdes  
(Signature)

MIRIAM VALDES  
(Print/Type Name)

OWNER OR OWNERS

Gilberto Contreras  
(Signature) Gilco Home Inc.  
Gilbert Contreras  
10900 S.W. 97 Avenue  
Miami, Florida 33176

STATE OF FLORIDA  
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 10 day of FEBRUARY, 2005, by GILBERT CONTRERAS who is/are personally known to me, produced \_\_\_\_\_ as proof of identification and did take an oath.



Roberto J. Valdes  
My Commission DD266424  
Expires January 17 2008

Roberto J. Valdes  
Notary Public (print name)  
[Signature]  
Notary Public (signature)

MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM

Date: 2.18.05

Lot Aggregation Restrictive Covenant  
RE No.: 00553380.000000, 00553390.000000, 00553400.000000